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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,070	03/01/2004	Vladimir Kraz	1030981-991133	2990
26379	7590	12/19/2005		EXAMINER
DLA PIPER RUDNICK GRAY CARY US, LLP 2000 UNIVERSITY AVENUE E. PALO ALTO, CA 94303-2248			SUAREZ, FELIX E	
			ART UNIT	PAPER NUMBER
			2857	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/791,070	KRAZ, VLADIMIR
	Examiner	Art Unit
	Felix E. Suarez	2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 24 June 2005.

2a)  This action is FINAL.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 76-94 and 97-100 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 76-94 and 97-100 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 01 March 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 76-78, 80, 86-89, 91, 92, 94 and 97-100, are rejected under 35 U.S.C. 102(a) as being anticipated over Raymond et al. (U.S. Patent No. 6,640,134).

With respect to claims 76, 92, 97 and 99, Raymond et al. (hereafter Raymond) teaches a device for in-situ measurement and recording of at least one environmental parameter, said device comprising:

a portable single unit that may be attached to an object (see col. 5, lines 4-20);

the portable single unit further comprising a sensor for detecting said parameter and converting to a sensor output (see col. 6, lines 27-41).

a data logger coupled to said sensor for receiving and logging said sensor output (see col. 5, lines 4-20 and col. 24, lines 27-35);

a communication module for communicating said sensor output (see col. 8, lines 42-54).

With respect to claims 77 and 93, Raymond further teaches said data logger comprises a timestamping module for recording a timestamp with said sensor output (see col. 14, lines 18-20).

With respect to claim 78, Raymond further teaches, said communication module comprises a transmitter and a receiver (see col. 27, lines 22-33).

With respect to claim 80, Raymond further teaches comprising a display device (see col. 24, lines 50-61).

With respect to claims 86, Raymond further teaches said data logger comprises an analog to digital converter (ADC) to convert said sensor output into digital data (see col. 8, lines 41-50).

With respect to claims 87, Raymond further teaches a signal processing circuitry coupled to said sensor for processing said sensor output (see col. 8, lines 41-50).



With respect to claim 88, Raymond further teaches comprising means for communicating said sensor output (see col. 8, lines 41-50).

With respect to claim 89, Raymond further teaches said means for communicating comprises a transmitter and a receiver (see col. 27, lines 23-33).

With respect to claim 91 and 94, Raymond further teaches said portable single unit moves through at least one of a manufacturing, storage, and transit process while attached to the object (see col. 24, lines 20-38).

With respect to claim 98 and 100, Raymond further teaches the communications module in the piece of base equipment and the communications module in the portable single unit are each wireless communication modules (see col. 5, lines 26-37).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 79, 90, 98 and 100, are rejected under 35 U.S.C. 103(a) as being anticipated over Raymond et al. (U.S. Patent No. 6,640,134) in view of Rode et al. (U.S. Patent No. 6,315,719).

With respect to claims 79, 90, 98 and 100, Raymond teaches all the features of the claimed invention, except that Raymond does not teach, said communication module comprises an RF (radio frequency) communication module.

But Rode et al. (hereafter Rode) teaches in a remote medical monitoring apparatus that, alternatively, the data transmitted to the data logger are directly retransmitted in a wireless manner by means of a high frequency radio transmission (see Rode; col. 7, lines 25-28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Raymond to include a wireless transmission alternative as taught by Rode, because the wireless transmission alternative of Rode allows a high frequency radio transmission for communication, as desired.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 81-85, are rejected under 35 U.S.C. 103(a) as being anticipated over Raymond et al. (U.S. Patent No. 6,640,134) in view of Karins et al. (U.S. Patent No. 6,172,496).

With respect to claims 81, 82 and 83, Raymond teaches all the features of the claimed invention, except that Raymond does not teach,  
said sensor is configured to detect a presence of electrostatic field;  
said sensor is configured to measure a magnitude of said electrostatic field; nor  
said sensor is configured to detect a change in said electrostatic field.

But Karins et al. (hereafter Karins) teaches a system for detecting and evaluating the occurrence, polarity and magnitude of electrostatic discharge (ESD) events (see Karins; col. 5, lines 10-16).

Karins also teaches a method for detecting an electrostatic discharge using a sensor including a magneto-optic element having a magnetized state and a demagnetized state and capable of changing from the magnetized state to the demagnetized state in response to an electromagnetic field having a field strength exceeding a predetermined field strength, the magneto-optic element mounted on a substrate adjacent to a conductor formed on the substrate, the method comprising:

determining whether the magnitude of the electrostatic discharge exceeds a predetermined magnitude by detecting whether the state of the magneto-optic element has changed from a magnetized state to a demagnetized state in response to the generated electromagnetic field (see Karins; col. 11 line 19 to col. 12, line 30).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Raymond to include an electrostatic discharge sensor as taught by Karins, because the electrostatic discharge sensor of Karins allows to detect and measure an electrostatic fields and is capable to detect a change from the magnetized state to the demagnetized state in response to an electromagnetic field.

With respect to claims 84 and 85, Raymond teaches all the features of the claimed invention, except that Raymond does not teach that said sensor is configured to detect an electrostatic discharge; nor

    said sensor is configured to measure a magnitude of said electrostatic discharge.

But Karins et al. (hereafter Karins) teaches a system for detecting and evaluating the occurrence, polarity and magnitude of electrostatic discharge (ESD) events (see Karins; col. 5, lines 10-16).

Karins also teaches a method for detecting an electrostatic discharge using a sensor including a magneto-optic element having a magnetized state and

a demagnetized state and capable of changing from the magnetized state to the demagnetized state in response to an electromagnetic field having a field strength exceeding a predetermined field strength, the magneto-optic element mounted on a substrate adjacent to a conductor formed on the substrate, the method comprising:

determining whether the magnitude of the electrostatic discharge exceeds a predetermined magnitude by detecting whether the state of the magneto-optic element has changed from a magnetized state to a demagnetized state in response to the generated electromagnetic field (see Karins; col. 11 line 19 to col. 12, line 30).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Raymond to include an electrostatic discharge sensor as taught by Karins, because the electrostatic discharge sensor of Karins allows to detect and evaluate the occurrence, polarity and magnitude of electrostatic discharge (ESD) events, as desired.

#### ***Response to Arguments***

4. This action is responsive to papers filed 24 June 2005.
5. Applicant's arguments with respect to the claims have been fully considered but they are moot in view of the new ground(s) of rejection set forth hereinbefore.

***Conclusion***

***Prior Art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rose-Pehrsson et al. [U.S. Patent No. 5,469,369] describes sensing an unknown pattern vector.

Hoigaard [U.S. Patent No. 5,083,117] describes an apparatus for monitoring and controlling electrostatic discharge.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix Suarez, whose telephone number is (571) 272-2223. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300 for regular communications and for After Final communications.

December 6, 2005

F.S.

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800